

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAKOTA ASSET SERVICES LLC AS
ATTORNEY-IN-FACT FOR U.S.
BANK NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS
TRUSTEE FOR THE RMAC TRUST,
SERIES 2016-CTT,

Civil No. 19-16126 (NLH/JS)

MEMORANDUM OPINION & ORDER

Plaintiff,

v.

GLENDA E. NIXON, KHALIL ABDUL
HAKIM, and JANE & JOHN DOES 1
THROUGH 5,

Defendants.

HILLMAN, District Judge

WHEREAS, on November 24, 2020, this Court issued an Order directing Plaintiff to "clearly and unequivocally identify the ownership of Roosevelt Parent LLC, and clearly and unequivocally set forth the name and citizenship of at least one member of those entities that is a citizen of New Jersey on the public docket of this action, within fourteen (14) days hereof" (ECF 27); and

WHEREAS, on December 7, 2020, Plaintiff filed a Corporate Disclosure Statement (ECF 28), which stated "Roosevelt Parent LLC is owned by Roosevelt Parent Feeder LLC, Roosevelt Senior Professional LLC, Roosevelt Delaware LLC and President

Intermediate Holding Company Inc. Roosevelt Parent Feeder LLC is owned in part by Jeff Toll, an individual who resides in Township of Livingston, County of Essex, State of New Jersey;" and

WHEREAS, the Corporate Disclosure Statement therefore pleads the **residence** of one member of Roosevelt Parent Feeder LLC, but does not plead the state of **citizenship** of the member, see McCann v. Newman Irrevocable Trust, 458 F.3d 281, 286 (3d Cir. 2006) ("Citizenship is synonymous with domicile, and the domicile of an individual is his true, fixed and permanent home and place of habitation. It is the place to which, whenever he is absent, he has the intention of returning."); Krasnov v. Dinan, 465 F.2d 1298, 1300 (3d Cir. 1972) (citations omitted) ("It is the citizenship of the parties at the time the action is commenced which is controlling. One domiciled in a state when a suit is begun is 'a citizen of that state within the meaning of the Constitution, art. 3, § 2, and the Judicial Code.' Where one lives is prima facie evidence of domicile, but mere residency in a state is insufficient for purposes of diversity.");

THEREFORE,

IT IS HEREBY on this 15th day of December, 2020

ORDERED that Plaintiff shall clearly and unequivocally set forth the name and **citizenship** of at least one member of

Roosevelt Parent Feeder LLC that is a citizen of New Jersey on the public docket of this action, within fourteen (14) days hereof; and it is further

ORDERED that the Clerk shall mail a copy of this Order and the accompanying opinion to Defendant by regular mail.

At Camden, New Jersey

/s Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.